

**NEW HAMPSHIRE BOARD OF NURSING
MINUTES**

December 19, 2013

DRAFT

Recorder: Kathryn Dickson, Executive Secretary

TOPIC	DISCUSSION	ACTION
1.0 Call to Meeting		Meeting called to order at 8:09 a.m. with R. Duhaime, Chair, presiding. Board members present: K. Baranowski (KB), C. Smith (CS), A. Finn-Waddell (AF), B. Fersch (BF), N. Fortin (NF), J. Kuras (JK), H. Featherston (HF) Board members absent: B. Libby (BL), T. Collins (TC), K. Kidder (KK) Board staff present: D. Nies (DN), A. Pavlidis (AP), L. Tetreault (LT), S. Goodness (SG), K. Dickson (KD)
1.1 Open Forum	Michele Gore from Salter School of Nursing appeared before Board to discuss use of simulation in nursing education.	Board re-affirmed approval of initial pilot request for maternal-child simulation experience to occur March – May 2014. Requested that Salter School of Nursing appear before Board in July, 2014 with trended data concerning pilot experience before approving extension of simulation pilot.
1.2 Addendum		4.3 Discussion of Drug Monitoring (DN)
1.2.1 Additions		7.3.1.1 E. Bois, RN, Hearing Counsel's Objection to Motion for Reconsideration 7.3.2.1 K. Contant, RN, Hearing Counsel's Objection to Motion for Reconsideration 7.5.7 H. B., LPN 7.5.8 J. B., LPN 7.5.9 N. S., LNA 7.5.10 W. S-L., RN 8.1.2.1 M. Fair, Additional Information 10.3.1 M. Gore, Salter School of Nursing
1.2.2 Deletions	None	

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7.5	Recommendations (Proposed)		Unanimous.
7.5.1	T. S., RN	Previously reviewed.	M/JK, S//NF to accept recommendations as proposed. Unanimous.
7.5.2	D. D., RN	Previously reviewed.	M/JK, S//NF to accept recommendations as proposed. Unanimous.
7.5.3	K. M., LNA	Previously reviewed.	M/JK, S//NF to accept recommendations as proposed. Unanimous.
7.5.4	K. L., LNA/MNA	Previously reviewed.	M/KB, S/AF to accept recommendations to dismiss. Unanimous.
7.5.5	R. M., LNA	Removed from Consent Agenda for review.	M/KB, S/NF to amend proposed recommendations to dismiss with Letter of Concern. Unanimous.
7.5.6	D. O., LPN	Removed from Consent Agenda for review.	M/JK, S//NF to accept recommendations as proposed. Unanimous.
8.0	Adjudicative (Executive Director)		
8.2	Recommendations (Proposed)		
8.2.1	J. K., APRN (KK recused)	Previously reviewed.	M/JK, S//NF to accept recommendations as proposed. Unanimous.
8.2.2	M. J., RN (BF recused)	Previously reviewed.	M/JK, S//NF to accept recommendations as proposed. Unanimous.
8.2.3	J. D., RN (BF recused)	Previously reviewed.	M/JK, S//NF to accept recommendations as proposed. Unanimous.
8.2.4	J. P., RN (BF recused)	Previously reviewed.	M/JK, S//NF to accept recommendations as

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9.0 Licensure	8.2.5 C. C., (BF recused)	Previously reviewed.	proposed. Unanimous. M/JK, S//NF to accept recommendations as proposed. Unanimous.
	9.1 LNA licensure		
	9.1.1 J. Bishop, LNA Endorsement	Unable to appear.	
	9.3 Licensure (Non-appearance)		
	9.3.1 S. D., LNA licensure	Previously reviewed.	M/JK, S/NF to approve LNA licensure in NH. Unanimous.
	9.3.2 J. C., LNA licensure	Previously reviewed.	M/JK, S/NF to approve LNA licensure in NH. Unanimous.
	9.3.3 A. K., LNA licensure	Previously reviewed.	M/JK, S/NF to approve LNA licensure in NH. Unanimous.
	9.3.4 C. L., LNA licensure	Previously reviewed.	M/JK, S/NF to approve LNA licensure in NH. Unanimous.
	9.3.5 T. P., LNA licensure	Previously reviewed.	M/JK, S/NF to approve LNA licensure in NH. Unanimous.
	9.3.6 S. B., LNA licensure	Previously reviewed.	M/JK, S/NF to approve LNA licensure in NH. Unanimous.
10.0 Education	10.1 Consideration for Continuing Approval		
	10.1.1 Salter School of Nursing & Allied Health LNA Program	Previously reviewed.	M/JK, S//NF to grant <i>Continued Approval</i> to program and coordinator. Unanimous
	10.1.2 Salem High School LNA Program	Previously reviewed.	M/JK, S//NF to grant <i>Continued Approval</i> to program and coordinator. Unanimous
	10.1.3 Great Bay Community College	Reviewed and discussed site visit of November 18,	M/KB, S/NF to grant <i>Continued Full Approval</i>

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<p>RN AD Program</p> <p>10.1.4 Plymouth State University RN BS Program</p> <p>10.3 Educational Issues 10.3.1 Comparable Education (AP)</p>	<p>2013. Lisa McCurley, Director, was available to answer questions.</p> <p>Reviewed and discussed site visit of November 7, 2013.</p> <p>Reviewed and discussed possible rule revision with regard to language dealing with comparable education.</p>	<p>with next review scheduled for Spring 2018. Unanimous.</p> <p>M/NF, S/KB to defer decision regarding full approval until final NCLEX results are available in January, 2014. Unanimous.</p> <p>M/RD, S/NF to make revisions to language in Administrative Rules regarding obtaining licensure by Comparable Education. Unanimous.</p> <p>NF, on behalf of Board, expressed appreciation to Anita Pavlidis, for bringing to Board her expertise in educational programs.</p>
<p>11.0 Practice Inquiries and Practice Committee Reports</p> <p>11.1 Liaison Committee (KK)</p> <p>11.2 P & E meeting (NF)</p> <p>11.3 Request for Board advice re: 11.3.1 LNA Scope of Practice: Applying pressure on a-line</p>	<p>No meeting.</p> <p>No meeting.</p> <p>Reviewed and discussed question of whether or not LNA can apply pressure on a-line once it has been d/c by RN.</p>	<p>M/NF, S/AF to affirm that it is NOT within LNA scope of practice to apply pressure on a-line. Unanimous.</p>
<p>12.0 Committee Reports and Recommendations</p> <p>12.1 HeM 1201 (TC)</p> <p>12.2 Day of Discussion 12.2.1 RN/LPN Day of Discussion (AP)</p> <p>12.2.2 LNA Day of Discussion (LT)</p> <p>12.2.3 ADA (NF, AF, TC)</p>	<p>No report.</p> <p>In process.</p> <p>LT working on agenda for LNA Day of Discussion planned for April or May.</p> <p>No applicants.</p>	
<p>7.0 Adjudicative (Investigator/Prosecutor)</p> <p>7.1 Hearings 7.1.1 M. Anderson, LPN #005738-22</p>	<p>Hearing held in absentia for M. Anderson, LPN #005738-22, Docket #13-1203-0398, pursuant to the</p>	<p>AF recused. M/NF, S/JK to affirm Hearing Counsel's Proposed</p>

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	<p>Nurse Practice Act RSA 326-B and the administrative rules, Chapter 100 - 800, proceeded at 8:55 a.m. with R. Duhaime Chair presiding.</p> <p>Board members present: K. Baranowski (KB), C. Smith (CS), B. Fersch (BF), N. Fortin (NF), J. Kuras (JK), H. Featherston (HF)</p> <p>A. Finn-Waddell (AF) recused.</p> <p>Board staff present: S. Goodness (SG), K. Dickson (KD), Laurel O'Connor, Hearing Counsel for Board of Nursing</p> <p>Reading of Notice of Hearing waived.</p> <p>Witnesses present to offer testimony:</p> <p>Elizabeth Connelly, RN, NH Veterans Home</p> <p>Alfreda Judkins, LNA, NH Veterans Home</p> <p>Hearing concluded at 9:11 a.m.</p>	<p>Findings of Facts #1 - #11; affirm Hearing Counsel's Proposed Rulings of Law #1 and #2; affirm Hearing Counsels Proposed Sanctions #2 - #7; amend Hearing Counsel's Proposed Sanctions #1 to impose 6-month SUSPENSION and assess \$1000 monetary penalty to deter future misconduct and defray costs associated with investigation and prosecution of case to be paid within 90 days from effective date of Board order. Respondent shall successfully complete Board-approved medication administration course.</p> <p>Unanimous.</p> <p>(See Docket #13-1203-0398)</p>
<p>7.1.2 M. Merrill, LNA #027301-24</p>	<p>Hearing held in absentia for M. Merrill, LNA #027301-24, Docket #12-1119-0341-NA, pursuant to the Nurse Practice Act RSA 326-B and the administrative rules, Chapter 100 - 800, proceeded at 9:28 a.m. with R. Duhaime Chair presiding.</p> <p>Board members present: K. Baranowski (KB), C. Smith (CS), B. Fersch (BF), N. Fortin (NF), J. Kuras (JK), H. Featherston (HF), A. Finn-Waddell (AF)</p> <p>Board staff present: S. Goodness (SG), K. Dickson (KD), Laurel O'Connor, Hearing Counsel for Board of Nursing</p> <p>Reading of Notice of Hearing waived.</p> <p>Witnesses present to offer testimony:</p> <p>Leslie Fabian, DON, Rockingham County Nursing Home</p> <p>Hearing concluded at 9:45 a.m.</p>	<p>M/KB, S/NF to affirm Hearing Counsel's Proposed Findings of Facts #1-#11; affirm Hearing Counsel's Proposed Rulings of Law #1; affirm Hearing Counsels Proposed Sanctions #2 - #7; amend Hearing Counsel's Proposed Sanctions #1 to SUSPEND LNA license for 2 years with \$500 monetary penalty to deter future misconduct and to defray costs associated with investigation and prosecution of case.</p> <p>Unanimous.</p> <p>(See Docket #12-1119-0341-NA)</p>
<p>7.1.3 M. McCarthy, LNA #025250-24</p>	<p>Hearing held in absentia for M. McCarthy, LNA #025250-24, Docket #13-0118-0359-NA, pursuant to the Nurse Practice Act RSA 326-B and the administrative rules, Chapter 100 - 800, proceeded at 9:48 a.m. with R. Duhaime Chair presiding.</p> <p>Board members present: K. Baranowski (KB), C. Smith (CS), B. Fersch (BF), N. Fortin (NF), J. Kuras (JK), H. Featherston (HF)</p> <p>A. Finn-Waddell (AF) recused.</p>	<p>M/KB, S/NF to affirm Hearing Counsel's Proposed Findings of Facts #5A-J; affirm Hearing Counsel's Proposed Rulings of Law #6 A-F; and affirm to REVOKE LNA license and assessed monetary penalty of \$2000 representing \$500 for each of four violations to deter future misconduct and to defray costs associated with investigation and prosecution of case.</p> <p>Unanimous.</p>

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	<p>Board staff present: K. Dickson (KD), Laurel O'Connor, Hearing Counsel for Board of Nursing Reading of Notice of Hearing waived. Witnesses present to offer testimony: Detective Patrick Mulholland, Exeter Police Department Hearing concluded at 10:00 a.m.</p>	(See Docket #13-0118-0359-NA)
7.1.4 J. Turgeon, RN #065289-21	Hearing continued until January, 2014.	
7.5 Recommendations (Proposed)		
7.5.7 H. B., LPN	Reviewed and discussed recommendations.	M/NF, S/JK to SUSPEND LPN license until full hearing on merits of investigation can be held. Unanimous.
7.5.9 N. S., LNA	Reviewed and discussed recommendations.	M/NF, S/JK to SUSPEND LNA license until full hearing on merits of investigation can be held. Unanimous.
7.5.10 W. S-L., RN	Reviewed and discussed recommendations.	M/NF,S/JK to SUSPEND RN license until full hearing on merits of investigation can be held. Unanimous.
7.5.8 J. B., LPN	<p>Reviewed and discussed recommendations.</p> <p>M/AF, S/CS to conduct non-public session for purpose of attorney/client discussion. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Board voted as follows: Yea: RD, KB, CS, BF, NF, JK, HF Non-public session began at 11:11 and concluded at 12:00 p.m.</p> <p>M/NF, S/KB to conduct non-public session for purpose of discussion of alleged licensee misconduct. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Minutes of non-public session shall be sealed. Board voted as follows:</p>	<p>M/NF, S/JK to accept recommendations as proposed. Unanimous.</p>

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	Yea: RD, KB, CS, KK, BF, NF, JK, HF Non-public session began at 12:02 p.m. and concluded at 1:00 p.m.	
8.0 Adjudicative (Executive Director) 8.1 Reinstatement, Removal of Probation, Restrictions, Modifications or Conditions 8.1.1 M. McCabe Inactive RN #043206-21 Inactive APRN #043206-23 8.1.2 M. Fair, RN #041507-21	M. McCabe offered oral testimony in support of petition to reinstate NH RN and APRN licenses. M. Fair offered oral testimony in support of petition for removal of random drug testing per Settlement Agreement.	M/AF, S/NF to deny petition for reinstatement of NH RN and APRN licenses. Unanimous. M/KB, S/NF to deny petition for removal of random drug testing at this time. Unanimous.
9.0 Licensure 9.1 LNA licensure 9.1.2 L. Lessard, MNA Program	L. Lessard offered oral testimony in support of petition to be permitted to complete MNA program in NH. M/NF, S/KB to conduct non-public session for purpose of discussion of alleged licensee misconduct. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Minutes of non-public session shall be sealed. Board voted as follows: Yea: RD, KB, CS, KK, BF, NF, JK, HF Non-public session began at 2:15 p.m. and concluded at 2:30 p.m.	M/KB, S/HF to approve petition to be permitted to complete MNA program in NH. Unanimous.
14.0 National Council	KK to attend NCSBN Midyear meeting in March.	
17.0 Adjournment	Next regular meeting: January 16, 2014 8:00 a.m. NH Board of Nursing Conference Room B119 121 South St Concord, NH 03301	Meeting adjourned at 2:40 p.m. Respectfully submitted, Denise Nies, MSN, RN, BC Executive Director